

COMMISSIONERS  
KRISTIN K. MAYES  
GARY PIERCE  
PAUL NEWMAN  
SANDRA D. KENNEDY  
BOB STUMP



0000092508

ARIZONA CORPORATION COMMISSION

ORIGINAL

January 20, 2009

Benjamin Marcus  
84 Marginal Way, Suite 600  
Portland, ME 04101-2480

RE: Staff's Letter of Insufficiency and Fourth Set of Data Requests to United Systems Access  
Telecom, Inc. and ComTech21, LLC d/b/a ComTech21  
Docket Nos. T-04080A-04-0510, T-04058A-04-0510, and T-04058A-04-0715

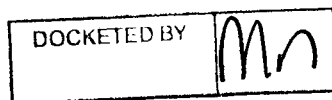
Dear Mr. Marcus:

On January 16, 2009, we discussed the above data request that needs to be addressed by United System Access Telecom, Inc ("USAT"). Enclosed is the re-issued data request, you requested.

I appreciate your help in forwarding this data request to USAT. Please advise me when the data request has been forwarded to USAT. You may contact me by telephone 602-542-0856 or e-mail [JBostwick@azcc.gov](mailto:JBostwick@azcc.gov). Again, thanks for your help in this matter.

Arizona Corporation Commission  
**DOCKETED**

JAN 20 2009



Respectfully,

*John F. Bostwick*  
John F. Bostwick

Administrative Services Officer II  
Utilities Division

Enclosure(s)

CC: Docket Control (Original and Fifteen Copies)

RECEIVED  
2009 JAN 20 P 4:12  
AZ CORP COMMISSION  
DOCKET CONTROL

**COMMISSIONERS**  
KRISTIN K. MAYES  
GARY PIERCE  
PAUL NEWMAN  
SANDRA D. KENNEDY  
BOB STUMP



**BRIAN C. McNEIL**  
Executive Director

**ARIZONA CORPORATION COMMISSION**

January 20, 2009

L. William Fogg, President and CEO  
United Systems Access Telecom, Inc.  
5 Bragdon Ln., Ste 200  
Kennebunk, ME 04043

RE: Staff's Letter of Insufficiency and Fourth Set of Data Requests to United Systems Access Telecom, Inc. and ComTech21, LLC d/b/a ComTech21  
Docket Nos. T-04080A-04-0510, T-04058A-04-0510, and T-04058A-04-0715

Dear Mr. Fogg:

On July 19, 2004, ComTech21, LLC d/b/a ComTech21 ("ComTech21") and United Systems Access Telecom, Inc. ("USAT") filed with the Commission a notification of a transfer of USAT's customer base to ComTech21. On August 17, 2004, ComTech21 requested a waiver of the Commission's Slamming and Cramming rules as it relates to the transfer of USAT's customers to ComTech21. On September 30, 2004, USAT filed a letter with the Commission stating that it ceased doing business in Arizona and requested that its authority to provide telecommunications services be cancelled. On March 29, 2005, a Procedural Order was issued to consolidate the Docket Numbers listed above. The Application submitted by ComTech21 and USAT is not sufficient. This data request lists the information Staff needs to complete its analysis of the Application.

For purposes of this data request set, the words "ComTech21", refers to ComTech21, LLC d/b/a ComTech21, any representative, including every person and/or entity acting with, under the control of, or on behalf of ComTech21, LLC d/b/a ComTech21. Also, the word "USAT" refers United Systems Access Telecom, Inc., any representative, including every person and/or entity acting with, under the control of, or on behalf of United Systems Access Telecom, Inc. **For each answer, please identify by name, title, e-mail address, telephone number and address each person providing information that forms the basis for the response provided.**

These data requests are continuing, and your answers or any documents supplied in response to these data requests should be supplemented with any additional information or documents that come to your attention after you have provided your initial responses. Also, please make sure all information you provide in response to the item(s) concerning the Application, including Staff's data requests, is updated and current. If you need to update your response to any item(s)/request(s), please reference the item(s)/request(s) and provide your current response(s).

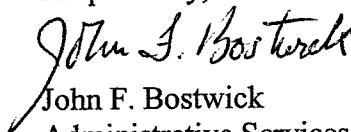
January 20, 2009

Page 2

Please provide Docket Control with the information being requested within **20 days** of the date of this letter. Mail an Original of your response plus 15 copies to Docket Control, Arizona Corporation Commission, 1200 W. Washington Street, Phoenix, AZ 85007-2927. If no response is received, Staff will recommend that the Application be terminated. If the Application is terminated, the Applicant cannot discontinue the telecommunications services that it is authorized to provide in Arizona, until such time as a new application is filed with and approved by the Commission.

Remember that information submitted concerning a CC&N will be made a part of the public record (including financial statements). Any information designated as confidential will not be accepted by Docket Control. If you have any questions, please contact me at (602) 542-0856. Thank you for your prompt response to this request.

Respectfully,

A handwritten signature in black ink, appearing to read "John F. Bostwick", is written over the typed name.

John F. Bostwick  
Administrative Services Officer II  
Utilities Division

Enclosure(s)

CC: Docket Control (Original and Fifteen Copies)

STAFF'S FOURTH SET OF DATA REQUESTS TO  
UNITED SYSTEMS ACCESS TELECOM, INC. AND COMTECH21, LLC D/B/A  
COMTECH21  
DOCKET NOS. T-04080A-04-510, T-04058A-04-510, AND T-04058A-07-0715

---

Please make sure each numbered item and each part of the item is answered completely. If it is not, Staff will resubmit the numbered item(s) and/or part(s) of the item in a following data request. Also, please make sure all information you provide in response to item(s) concerning this Application, including Staff's data requests, is updated and current. If you need to update your response to any item(s)/request(s), please reference the item(s)/request(s) and provide your current response(s). In order for Staff to continue with its review of this Application, the following information must be submitted:

- JFB4-1. Please provide a copy of the legal notice of the Application to cancel telecommunications services in all counties affected by the Application. Refer to Arizona Administrative Code ("A. A. C.") Rule R14-2-1107.
- JFB4-2. In USAT's Response to Staff's First of Data Requests Item No. 1, USAT reported that it provided service to customers in Arizona. In addition, USAT stated that it discontinued providing service in June 2004 and that 104 of its residential customers were transferred to ComTech21. Refer to USAT's Response to Staff's First Set of Data Requests Item No. 5 and Item No. 6. respectively.
- a. If customers are not currently being served in Arizona, please provide an affidavit to that effect.
  - b. If service is currently provided to customers in Arizona, please provide the number of residential and/or business customers being served.
  - c. Did USAT have any service contracts with customers? If yes, please describe how the service contracts were honored.
- JFB4-3. In USAT's Response to Staff's First Set of Data Requests Item No. 7, USAT reported that ComTech21 notified USAT's customers by letter that ComTech21 will be their service provider. A copy of ComTech21's letter dated July 22, 2004 states that as of September 15, 2004, USAT's customers will begin receiving services from ComTech21.
- a. Please confirm that USAT transferred 104 of its customers to ComTech21 in June 2004 before the 104 residential customers were informed in July that their service will be provided by ComTech21 as of September 15, 2004.
  - b. If the response to JFB4-3a. is no, please explain. Refer to A.A.C. Rule R14-2-1107.
- JFB4-4. Please indicate the state(s) in which USAT currently operates.
- JFB4-5. Does USAT have any employees in Arizona? If yes, please provide the number of employees.

STAFF'S FOURTH SET OF DATA REQUESTS TO  
UNITED SYSTEMS ACCESS TELECOM, INC. AND COMTECH21, LLC D/B/A  
COMTECH21  
DOCKET NOS. T-04080A-04-510, T-04058A-04-510, AND T-04058A-07-0715

---

- JFB4-6. Does USAT have any facilities or assets in Arizona? If yes, please provide the dollar amount and location of such facilities or assets.
- JFB4-7. Please provide proof that USAT met the requirements of the Federal Communications Commission's ("FCC") rules for streamlined approval of the transfer of the customer base. Provide a copy of USAT's FCC Public Notice Streamlined Pleading Cycle Released.
- JFB4-8. Submit a PDF file of your responses to this data request to [JBostwick@azcc.gov](mailto:JBostwick@azcc.gov).